

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK MILLER,

Petitioner,

v.

DAN PACHOLKE,

Respondent.

Case No. C08-5138BHS

ORDER DENYING
APPLICATION TO PROCEED
IN FORMA PAUPERIS

The Court, having received Petitioner's filing fee (Dkt. 4) and having reviewed the Report and Recommendation (Dkt. 6), Petitioner's application to proceed in forma pauperis (Dkt. 1), Petitioner's letter indicating that he was mistaken when he filed the application (Dkt. 13), and the remaining record, hereby finds and **ORDERS**:

- (1) the Magistrate Judge's Report and Recommendation (Dkt. 6) is approved and adopted;
- (2) Petitioner's application to proceed in forma pauperis (Dkt. 1) is **DENIED**.
- (3) The Clerk is directed to send copies of this Order to Petitioner.

DATED this 16th day of April, 2008.



BENJAMIN H. SETTLE
United States District Judge